

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-8 and 10-17 are now present in the application. Claims 1, 3, 5 and 7 have been amended. Claims 10-17 have been added. Claim 9 has been cancelled. Claims 1 and 5 are independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons For Entry Of Amendments

Applicants submit that this Amendment was not presented at an earlier date in view of the fact that Applicants are responding to a new ground of rejection set forth in the Final Office Action. Applicants respectfully request entry and consideration of the foregoing amendments.

Claim Rejections Under 35 U.S.C. §§ 102 & 103

Claim 1 [sic., claims 1, 2, 4-6, 8 and 9] stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tomoki, JP 06-006989. Claims 3 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomoki in view of Toda, U.S. Patent No. 5,130,599, and further in view of Nonaka, U.S. Patent No. 5,267,796. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

In light of the foregoing amendments to the claims, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. Without conceding to the propriety of the Examiner's rejections, but merely to timely advance the prosecution of the application, as the Examiner will note, independent claims 1 and 5 have been amended to recite a combination of

elements including “the piezoelectric device includes two polarized regions, an AC (alternating current) voltage being applied to only one of the two polarized regions when the rollers rotate to move the base body in a first direction” and “the base body is movably supported on an upper face of the rail by bearings disposed on a bottom face of the base body, and the bearing bear a load of the base body.” Support for the above combination of elements set forth in claims 1 and 5 can be found in FIGs. 4A-C and on page 9, lines 10-27 and page 10, lines 1-11 of the specification as originally filed. Applicants respectfully submit that the above combination of elements set forth in claims 1 and 5 is not disclosed or suggested by the references relied on by the Examiner.

In particular, although Tomoki in FIG. 2 discloses a left piezoelectric device 12 and a right piezoelectric device 12A (labeled by the Examiner), Tomoki nowhere discloses that either of the left and right piezoelectric devices 12, 12A has two polarized regions and only one of the two polarized regions is applied to an AC voltage when the rollers rotate to move the base body in a first direction. In fact, Tomoki in paragraphs [0025] and [0026] simply discloses that the phase difference between the left piezoelectric device 12 and the right piezoelectric device 12A should be set to +90 degrees or -90 degrees so that the slider 25 can be driven in either a first direction or a second direction opposite to the first direction. In other words, Tomoki simply focuses on the phase difference between the left piezoelectric device 12 and the right piezoelectric device 12A, but is silent about how to apply the voltage to different regions of a particular piezoelectric device. Therefore, Tomoki fails to teach “the piezoelectric device includes two polarized regions, *an AC (alternating current) voltage being applied to only one of*

the two polarized regions when the rollers rotate to move the base body in a first direction” as recited in claims 1 and 5.

In addition, Tomoki’s slider 25 (referred to by the Examiner as base body) is urged downward against the friction parts 14 of the ultrasonic vibrator 10 by the spring-loaded presser rollers 26. Therefore, the load of Tomoki’s slider 25 is born by the friction parts of the ultrasonic vibrator 10. This deteriorate the durability of the ultrasonic linear actuator.

Unlike Tomoki, in the claimed invention, the load of the base body is supported by the upper surface of the rail via the bearings. This load does not act on the guiding side faces of the rail against which the rollers of a driving part (ultrasonic vibrators) are urged into contact. Therefore, the driving part is free of undue abrasion and therefore is highly durable. Therefore, Tomoki fails to teach “the base body is movably supported on an upper face of the rail by bearings disposed on a bottom face of the base body, and the bearing bear a load of the base body” as recited in claims 1 and 5.

With regard to the Examiner’s reliance on the secondary references, these references have only been relied on for their teachings related to some dependent claims. These references also fail to disclose the above combination of elements as set forth in amended independent claims 1 and 5. Accordingly, these references fail to cure the deficiencies of Tomoki.

Accordingly, none of the utilized references individually or in combination teach or suggest the limitations of amended independent claims 1 and 5. Therefore, Applicants respectfully submit that amended independent claims 1 and 5 clearly define over the teachings of the utilized references.

In addition, claims 2-4 and 6-8 depend, either directly or indirectly, from independent claims 1 and 5, and are therefore allowable based on their respective dependence from independent claims 1 and 5, which are believed to be allowable.

In view of the above remarks, Applicants respectfully submit that claims 1-8 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

Additional Claims

Claims 10-17 has been added for the Examiner's consideration. Applicants respectfully submit that claims 10-17 depend, either directly or indirectly, from amended independent claims 1 and 5, and are therefore allowable based on its dependence from amended independent claims 1 and 5, which are believed to be allowable. Consideration and allowance of claims 10-17 are respectfully requested.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

Application No. 10/579,193
Amendment dated March 20, 2008
After Final Office Action of December 20, 2007

Docket No.: 0943-0166PUS1

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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